

Office of Legislative Counsel

19 July 1978

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Ms. Tracey Cole  
Legislative Reference Division  
Office of Management and Budget  
Washington, D.C. 20503

Dear Tracey:

We have received the Department of State's newly revised proposals on the "Role of the Ambassador Legislation" amendment--section 119 of H.R. 12598 as passed by the Senate--and on subsections 503(a) and (b) of the bill as passed by the House.

We find the new language on subsection 119(2) unacceptable, and again request that the views on this provision, which will go to the House-Senate conferees on behalf of the Administration, reflect the views contained in our letters to Jim Frey dated 17 and 18 July 1978. The new State Department language in explanation of the Administration position on this issue is confusing. The President has directed that the Administration will oppose enactment of subsection 119(2), yet the proposed State Department language does not state this; rather, this new proposal merely states that "the Administration believes that subsection (2) is unnecessary ...". Not only should the Administration's position to the conferees state unambiguously that the President opposes subsection 119(2), but it should reflect that there are positive, substantive reasons for such a position--not merely that the subsection "is unnecessary." These reasons are set forth in our letters of 17 and 18 July 1978.

As to Title V of the House bill, on "science and technology," it is our understanding that intelligence activities are not intended to be covered by the provisions of the title; this, of course, comports with our view. Our position on Title V is that the Administration should oppose it. (Please see our 17 July 1978 letter for background.) Absent general opposition, the State Department's revised proposed amendments to subsection 503(b) should be amended to make clear that the title is not intended to result in the disclosure of intelligence information; this would be coupled with further clarifying report language. The precise wording of our proposed amendments to subsection 503(c)--which, in State's proposal would become 503(b)--is contained in our 17 and 18 July letters.

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We are concerned that time is of the essence in finalizing a coordinated Administration position on H.R. 12598; please let us know what we can do to assist further. (I understand State is intending to go up to the Hill tomorrow on this legislation.)

Sincerely,



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Assistant Legislative Counsel

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